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August 4, 2006

**Electronic Filing**

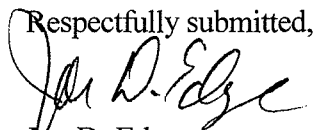
Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 – 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: Notification of Ex Parte Presentation  
ET Docket No. 04-151

Dear Ms. Dortch:

On August 3, 2006, representatives of Open Range Communications, Inc. and Nortel met with Julius Knapp, Alan Scrim, Jeffrey Dygert, Ronald Chase, Ira Keltz, Ahmed Lahjouji and Rashmi Doshi; all of the Commission's Office of Engineering and Technology. Open Range was represented by William S. Beans, Jr., Mark D. Adolph and the undersigned. Nortel was represented by Raymond L. Strassburger, Michael J. Lynch, Tom Bayless and Matthew S. Jensen. During the meeting, the parties discussed the views expressed in the attached document.

Pursuant to Sections 1.1206(b)(1) and (2) of the Commission's rules, a copy of this letter and the attachment are being filed electronically with the Office of the Secretary. Copies are also being served electronically on the Commission staff listed below. Should you have any questions, please contact the undersigned.

Respectfully submitted,  
  
Joe D. Edge

JDE/sgd

Attachment

cc: Julius Knapp  
Alan Scrim  
Jeffrey Dygert  
Ronald Chase  
Ira Keltz  
Ahmed Lahjouji  
Rashmi Doshi

*Established*  
1849



*Ride the Wireless Broadband Frontier*  
Open Range Communications Inc. 2006

# WiMAX/4G Expands Service Set

## *High-Throughput Performance Services 1-3 Mbps*



*High-throughput and low cost service will expand capabilities*

## *Portable Data & Visual-Centric Devices 1+ Mbps*



*New 4G ecosystem allows for low cost for embedding devices and enabling consumer electronic devices*

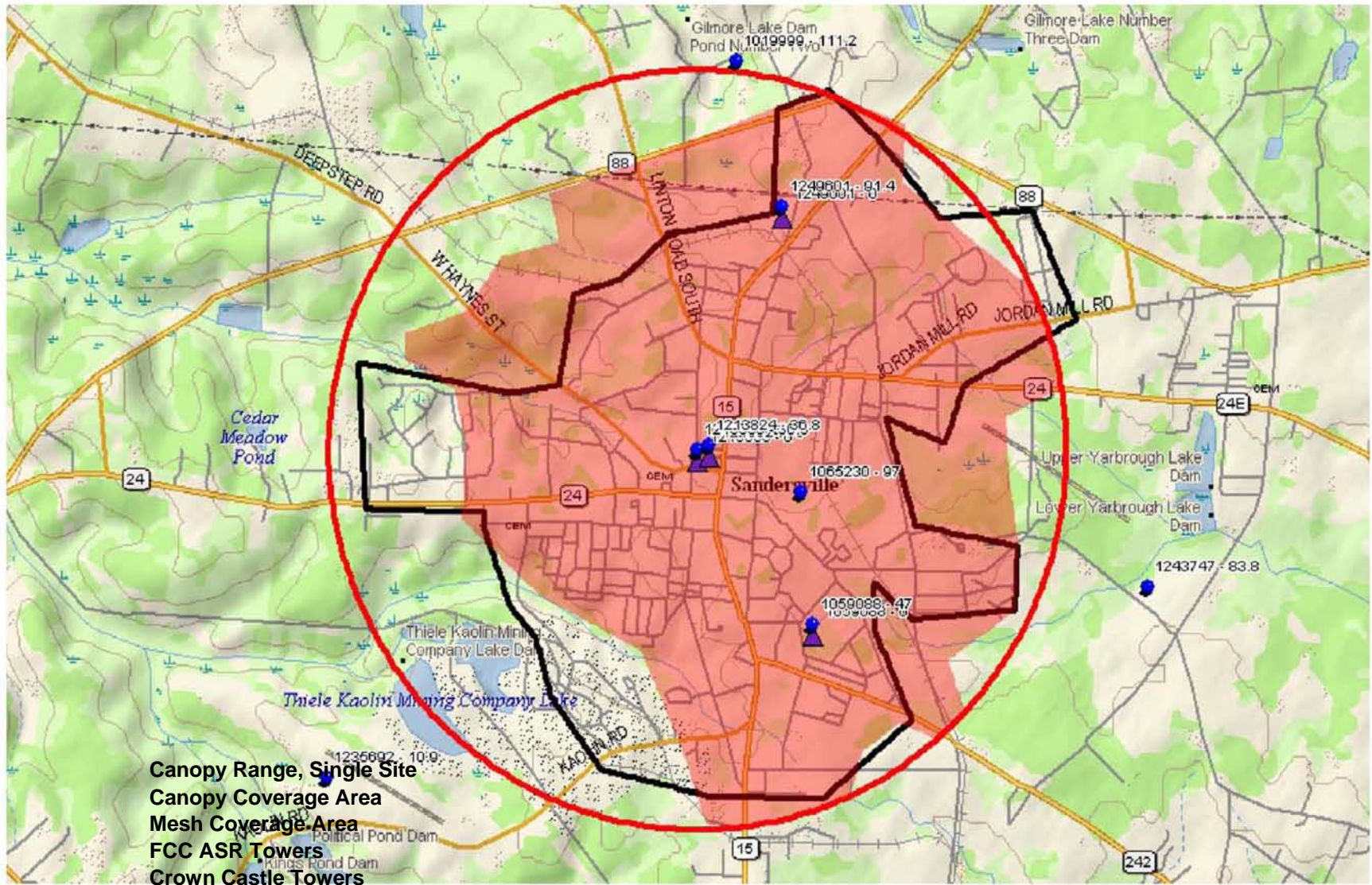
## *Mobile Applications (Handsets & Laptops)*



*Low cost per MB is competitive advantage*



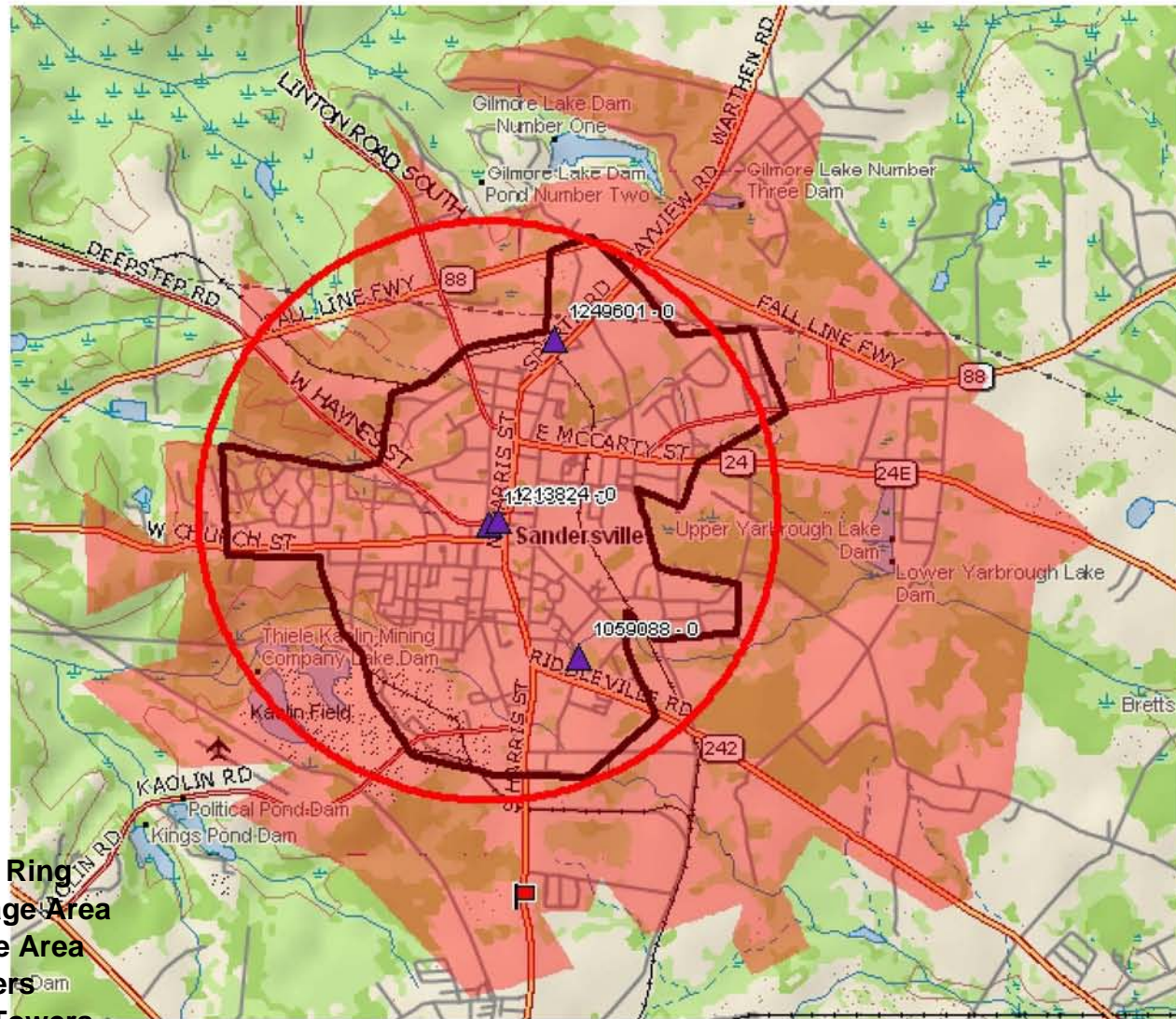
# Example City Network without WiMAX - Sandersville, GA.





# Example City Network with WiMAX - Sandersville, GA.

Greater coverage area to less dense population areas with minimal additional cap ex – WiMAX will only arrive through a 3.65 spectrum license



1.5 Mile Range Ring  
WiMAX Coverage Area  
Mesh Coverage Area  
FCC ASR Towers  
Crown Castle Towers

## 3.65 Proposal

- **Open Range supports the current rules of the FCC specifying a 50 MHz wide band with licensed “lite” registration for service providers.**
- **If the FCC bifurcates rural from non-rural markets, in further support of the USDA and FCC joint rural initiatives, the FCC should adopt the same definition of a rural market used by the RUS to define an eligible rural community in 7 CFR 1738.2. This would make broadband loan geographic areas consistent with the FCC’s licensing structure in the 3.65 band for rural America.**
- **The contention-based protocol requirement will provide all service providers the opportunity to roll out services in the 3.65 band. Licensees should be afforded the opportunity to negotiate amongst themselves an operating agreement that provides for the coexistence of multiple systems while maintaining a high quality of service level for customers. Where all service providers in a market reach a mutually acceptable agreement those providers could employ sharing arrangements other than a contention based protocol.**

## 3.65 Proposal

- **The FCC should permit applicants to employ increased power levels in rural communities enabling broader coverage areas.**
- **The FCC should maintain a 50 MHz wide band enabling additional value added services in rural America including video surveillance, IPTV, VoIP and other advanced services in communities with limited or no access to local content for news, weather, and sports.**